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PATENT  
ATTORNEY DOCKET NO.: 47233-0044-00-US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of: )  
Keiichi ABE et al. ) Confirmation No.: 8837  
Application No.: 10/507,127 ) Group Art Unit: 1761  
Filed: September 10, 2004 ) Examiner: Lien Thuy Tran  
FOR: PROCESS FOR PRODUCING SDG AND )  
FOODS AND DRINKS CONTAINING )  
THE SAME )

**AMENDMENT TRANSMITTAL FORM**  
**AND PETITION FOR 1-MONTH EXTENSION OF TIME**

**Mail Stop: AMENDMENT**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

1. Transmitted herewith is an Amendment responding to the Office Action dated September 5, 2007.
2. Additional papers enclosed:

Information Disclosure Statement  
 Form PTO-1449, copies of \_\_\_ references  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
 Drawings:  Formal  Informal (Correction)

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

\*\*Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

\*\*Applicant petitions for an extension of time of 3 month(s). The fee for the extension is \$120.00, as set out in 37 C.F.R. § 1.17(a).

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input checked="" type="checkbox"/> one month	\$120.00	\$ 60.00
<input type="checkbox"/> two months	\$460.00	\$230.00
<input type="checkbox"/> three months	\$1,050.00	\$525.00
<input type="checkbox"/> four months	\$1,640.00	\$820.00
<input type="checkbox"/> five months	\$2,230.00	\$1,115.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$120.00

4. Constructive Petition

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16) (\*\*Large\*\*Small Entity)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	26	minus	24	2	x \$50/\$25 each=	\$ 100.00
Independent Claims (37 C.F.R. §1.16(b))	2	minus	3	**	x \$210/\$105 each=	\$
First presentation of Multiple dependent claim(s):					\$370/\$185	\$ **.00
Fee for <u>1</u> Month Extension of Time						\$ 120.00
Fee for Information Disclosure Statement (\$180.00)						\$ **.00
Fee for Terminal Disclaimer (\$130.00)						\$ **.00
Reduction by ½ for filing by a small entity						\$ **.00
<b>TOTAL FEE =</b>						<b>\$ 220.00</b>

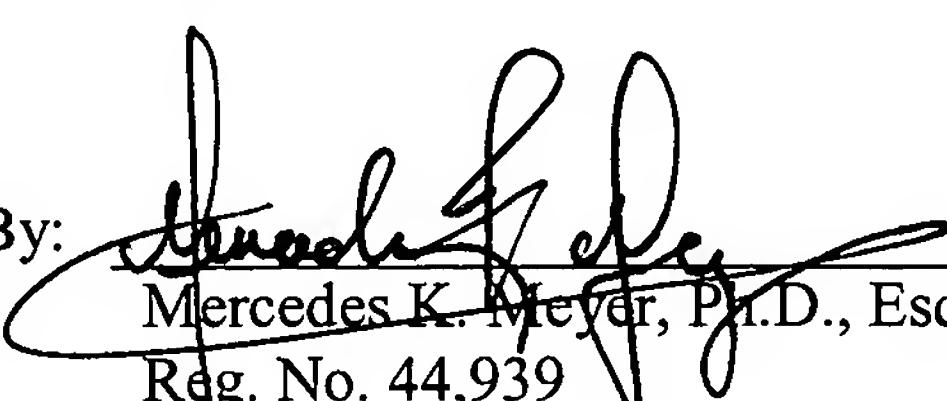
6. Fee Payment

A check in the amount **\$220.00** is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully Submitted,

Date: January 4, 2008  
 DRINKER BIDDLE & REATH LLP  
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